

ABSTRAC

Sa'diyah, Nur Halimatus, 2011. "*JUBILEE PETITUM PARTIUM RELIGION IN COURT RULING ON MARRIAGE CANCELLATION* (Study of Decision No. 394/Pdt.G/2008/PA Pasuruan). " Thesis Department of Al-ahwal al-Syakhshiyah Icelandic State University Faculty of Shari'ah Maulana Malik Ibrahim Malang. Advisors Drs. M. Nur Yasin, M. Ag

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Ultra Petitum Partium is a series of words in a legal term that comes from the word which means more and ultra Petitum partium words that mean the petition, a lawsuit that began by stating the arguments and concludes by suing. So the meaning of ultra Petitum partium is the decision (making) a judge who exceeds the petition filed by the applicant. In Article 178 HIR/189 Rbg paragraph 3, the judge prohibited verdict for cases that are not prosecuted or granted more than is required. Then the article is known as the principle of Ultra Petitum Partium. Persoalanya be different if in a divorce petition ditumukan divorce law violation which causes the judge to decide the cancellation of marriage.

This study aims to determine the factors underlying the decision of the judge ruled against the case of cancellation of marriage divorce divorce petition
This research is a normative legal research using the conceptual approach and the approach to the law. While the method of collection of legal materials using documentary methods and a literature review using the deductive method.

From a result of research conducted by the author concludes that the decision of the judge who decided the cancellation of marriage to divorce is a divorce petition case there is no principle of ultra Petitum partium because the judge granted the subsidiary of the applicant's claim that contains beg fairest decision, and judges assess the primary demands submitted by the applicant, judged not repose law.