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How dry riverbeds turned into legal residential areas
 By Adnan Shabrawi

JEDDAH – The General Court which issued land titles for the owners of flood-damaged houses in dry riverbeds has blamed the Jeddah Mayoralty for giving legal approval for people to own residential plots of land in these ill-fated areas in the east of Jeddah.

The court does not issue any land title without the approval of the mayoralty, which is the sole civic authority charged with city planning, a Jeddah court official said, criticizing the mayoralty’s poor planning of the southeastern side of Jeddah where floodwaters killed over 113 people.

The court has nothing to do with unplanned districts, east of Jeddah, said Rashed Al-Hazza, Chief Judge of the Jeddah General Court.

If not granted through legal purchase, land titles are issued for those who develop unclaimed “land” and bring it to life as per the Islamic Shariah (known as land revival), he said.

In either case, land titles are issued by court only after the approval of 12 government departments, including the Jeddah Mayoralty, the National Guard, Ministry of Islamic Affairs, Guidance, and Endowments, Ministry of Finance, Ministry of Agriculture, Ministry of Defense and Aviation, the Road and Transport Administration, the Mineral Resources Agency, the Border Guard, the Saudi Electricity Company, the Antiquities Department at the Ministry of Education, and the Aziziya Spring Water Department, he said. If one government department claims ownership or does not approve private ownership for any reason, the court does not issue the land title.

If no objection is received, the court processes the land title and sends it to the Court of Cassation for final approval, he said.

The court generally does not approve ownership on public roads, riverbeds, valleys, and mountaintops, deemed objectionable by the Jeddah Mayoralty and the Ministry of Agriculture, Al-Hazza said.

Ownership outside the city limits of Jeddah, however, was stopped by a Royal Order two years ago, he said.

Hamad Al-Razin, a judge at the Jeddah General Court, warned about vast farms in the Thahban and Khulais areas, northeast of Jeddah, whose owners have requested permission to convert them into residential land to sell to the public.

When it comes to issuing land titles, the court acts based on the approval of the Jeddah Mayoralty and the Jeddah office of the Ministry of Agriculture, he said. Both government departments, however, have approved the conversion of hundreds of thousands of square meters of farmland into residential land for their owners to sell to the public, Razin said.

Some of the “brought to life” land is located on dry riverbeds and riverbanks and ownership in these unclaimed areas is granted based on the Islamic law of land revival, he said. The court grants land title as to develop farmland in these areas, not residential land as later approved by the Jeddah Mayoralty and the Jeddah office of the Ministry of Agriculture, he said, requesting an immediate reconsideration of the situation.

When the ownership title of the revived land in areas of potential floods is granted, owners convert it into residential plots of land and sell them to the public with the approval of the Mayoralty, ignoring basic infrastructure of water drainage network and roads, Razin said.

The court’s job is to issue titles based on the approval of authorities tasked with checking the land itself before forwarding their approval to the court.

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Razin denied the mayoralty's allegations that the court has issued land titles in flood-hit areas without mayoral approval. "Over the past 13 years, no land title has been issued for any plot of land," in the seriously flood-damaged district of Quwaizah, he said.

The majority of the severely flood-damaged districts east of Jeddah were basically the property of the Aziziya Spring Water Administration, but the entire area was divided into residential land. Some land was taken and built on without legal ownership, he added. -Okaz/SG

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