



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr V Thavamoorthy

**Respondent:** Medronic Ltd

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

**Heard at:** Watford Employment Tribunal (by CVP)

**On:** 25 January 2024

**Before:** Employment Judge Kelly (sitting alone)

### Appearances

For the claimant: Mr D Fletcher, trade union representative

For the respondent: Miss David of counsel

## JUDGMENT

### The Judgment of the Employment Tribunal is that:

1. The claimant's race discrimination claims which relate to events prior to 6 Jan 2023 are apparently out of time.
2. It would not be just and equitable to extend time for the claimant to bring any of these race discrimination claims.
3. The claimant's claims for race discrimination in relation to the following incidents are dismissed because the Tribunal does not have jurisdiction to hear them because they are out of time:
  - 3.1 Allegations referred to at sections 4.3.1, 4.3.2, 4.3.3, and 4.3.5 of the Case Summary of 11 October 2023.
4. The question of whether the claimant's race discrimination claim referred to at section 4.3.4 of the Case Summary of 11 October 2023 (an allegation about a refusal of a flexible working request in September 2022) is in time will be considered at the Final Hearing, solely on the issue of whether it formed part of

conduct extending over a period and ending with the claimant's dismissal. As per section 2 above, we have already decided it would not be just and equitable to extend time.

5. The claimant's race discrimination claim in relation to his dismissal and his unfair dismissal claim were brought in time and the Tribunal has jurisdiction to consider them.
6. Apart from the race discrimination claims referred to in sections 4 and 5 above, all the claimant's race discrimination claims are dismissed because the Tribunal does not have jurisdiction to hear them because they are out of time.
7. We note that the claimant may still refer in evidence to the alleged incidents of race discrimination which we have dismissed if he considers they may assist him in proving his remaining claims of race discrimination.

**Signed electronically by me  
25 January 2024**

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**Employment Judge Kelly**

Signed on: 25 January 2024

Sent to the parties on:

...14 February 2024.....  
For the Tribunal Office:

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