



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr N Seshadri

**Respondent:** Cwm Taf Morgannwg University Local Health Board

**Heard at:** Cardiff-by video hearing      **On:** 7 January 2021

**Before:** Employment Judge J Whittaker (sitting alone)

**Representation:**  
Claimant: In person  
Respondent: Mr Walters (Counsel)

## JUDGMENT

The Claimant's application under Rule 50 of the Employment Tribunal Rules of Procedure 2013 is refused and is dismissed.

## REASONS

1. The Claimant applied for his personal details to be omitted from any future records relating to his claim against the Respondents.
2. In his written application the only grounds on which the Claimant made his application were that the Claimant was suffering from stress, anxiety and depression and was being treated by his GP with generic medication. The Claimant did not make any reference to any other form of medical treatment that he was receiving. More importantly the Claimant made no reference whatsoever to what the possible effect of a lack of anonymity would have on him and why therefore it was allegedly necessary in the

interests of justice or necessary to protect his Convention rights to prevent public disclosure of his personal details in any future documents relating to these proceedings.

3. The Claimant in his application made reference to Section 10A, Section 11 and Section 12 of the Employment Tribunals Act 1996 but he gave no reasons or details as to how any of those sections were relevant to his personal circumstances. It was clear even on the most cursory of examinations that none of these sections had any relevance to the circumstances of the Claimant. As already indicated, the sole basis on which the Claimant requested an Order under Rule 50 related to his mental health conditions of stress, anxiety and depression being addressed by his GP.
4. The Claimant confirmed to the Tribunal today that he had not considered any of the legal principles which a Tribunal would have to apply when considering his application. The Tribunal told the Claimant that the Tribunal was required to give “full weight to the principle of open justice”. The Tribunal reminded the Claimant that any Order made must be one which was “necessary in the interests of justice”. The Tribunal told the Claimant that it did not have a simple discretion as to whether or not to make an Order. The Order must be necessary in the interests of justice. The Tribunal told the Claimant that there was a strong presumption against making an Order and that Orders were uncommon which reflected the wording of Rule 50 and the application of the relevant legal principles set out above.
5. The Claimant did not indicate how, if at all, his Convention rights would allegedly be breached if public disclosure of his personal details was made. There was no suggestion by the Claimant that he would be unable to have a fair or public hearing. The Claimant made no other reference to any other Articles under the Convention which the Claimant said would be breached to the extent that public disclosure should be prevented.
6. The Tribunal reminded itself that it had to consider carefully the reasons for the request whilst at the same time balancing those reasons against an obligation to give full weight to the principle of open justice.
7. The Claimant gave no reasons as to why it would be “necessary” to make an Order under Rule 50 in his favour. The Tribunal reminded itself that it must have solid evidence of likely breaches of Articles of the Convention and that mere speculation or assertion on the part of the Claimant making this application was not sufficient. The Claimant submitted no medical report in support of his application. The Claimant simply referred to advice and assistance which he was receiving from his GP and the prescription of generic medication for his mental health conditions. On the face of it

therefore the Claimant was receiving medical treatment from his GP for those medical conditions but there was no indication that the Claimant was receiving any other more specialist medical treatment, for example from a Consultant Psychiatrist. However more importantly there was no medical report from any medical practitioner to indicate support for the application of the Claimant.

8. The conclusion of the Tribunal therefore was that the application of the Applicant was ill founded, poorly presented and presented no grounds or evidence to justify the making of an Order. The application of the Applicant was therefore refused.

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Employment Judge J Whittaker  
Dated: 14<sup>th</sup> January 2021

JUDGMENT SENT TO THE PARTIES ON 15 January 2021

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FOR THE SECRETARY OF EMPLOYMENT TRIBUNALS

**NOTE:**

This is a written record of the Tribunal's decision. Reasons for this decision were given orally at the hearing. Written reasons are not provided unless (a) a party asks for them at the hearing itself or (b) a party makes a written request for them within 14 days of the date on which this written record is sent to the parties. This information is provided in compliance with Rule 62(3) of the Tribunal's Rules of Procedure 2013.